



Howard County Department of Planning and Zoning

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TECHNICAL STAFF REPORT

Village of Wilde Lake – Village Center Redevelopment

Planning Board Meeting of April 15, 2013

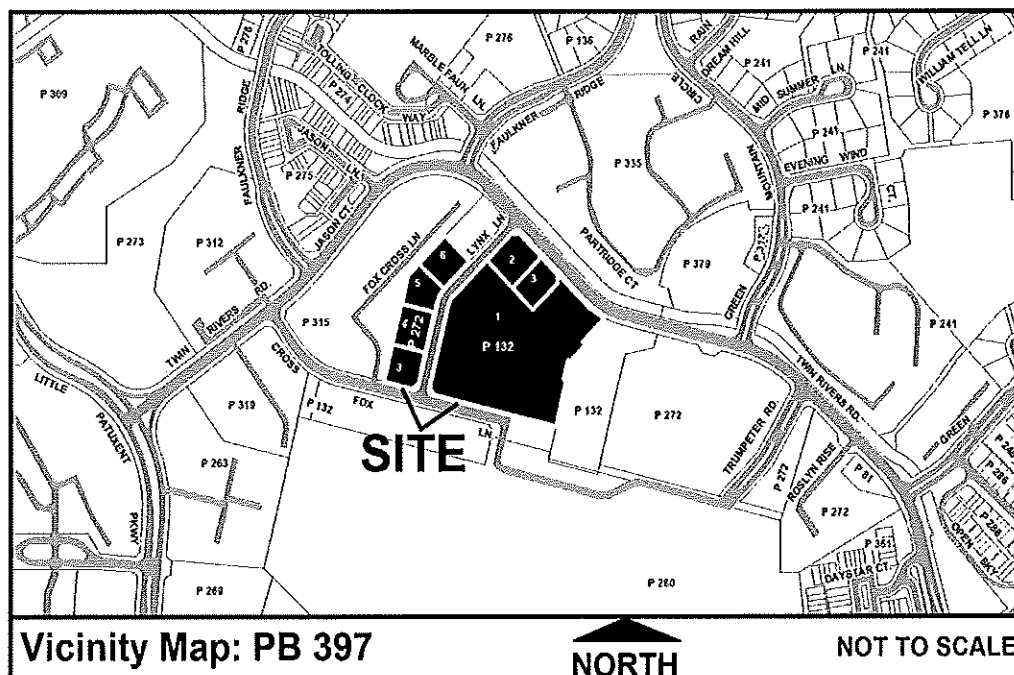
Case No.: SDP-13-046

Project Name: Resubdivision of Village of Wilde Lake, Major Village Center Redevelopment

Owner and Petitioner: Wilde Lake Business Trust, c/o Kimco Realty Corporation

Request: For Planning Board approval of a Site Development Plan (SDP), SDP-13-046, for Major Village Center Redevelopment which will consist of 250 residential units within a residential/retail building, 3 new mixed use commercial buildings and 2 refurbished mixed use commercial buildings, totaling approximately 90,000 net square feet of commercial redevelopment, and upgraded parking, landscaping and stormwater management on the land zoned "New Town - Employment Center Land Use- Village Center Commercial" located at the intersection of Twin Rivers Road, Lynx Lane (now private) and Cross Fox Lane, in accordance with the Amendment to the Preliminary Development Plan as approved under Zoning Board Case Number 1096m, the Amended Comprehensive Sketch Plan (SP-13-001/PB 397), and the Amended FDP-2-A-IX and Amended FDP-39-A-1, which are submitted concurrently with this SDP.

Recommendation: The Department of Planning and Zoning recommends approval of SDP-13-046, Site Development Plan for the Village of Wilde Lake Major Village Center Redevelopment, subject to adequately addressing all remaining technical comments provided by the Subdivision Review Committee dated April 8, 2013 and any subsequent technical comments.



Location: The subject property is a 10.21 acre site (with a limit of disturbance of 11.95 acres), located on the south side of Twin River Road and the north side of Cross Fox Lane, on the east and west side of Lynx Lane, also known as the Village of Wilde Lake Village Center. The property is identified as Tax Map 29, Grid 24, Parcel 272, Lots 3-6 and Parcel 132, Lots 1-3.

Vicinal Properties:

North: The site is bounded to the north by Twin Rivers Road. On the opposite side of Twin Rivers Road are apartments.

South: The south side of the site is bounded by Cross Fox Lane. On the opposite side of Cross Fox Lane is a Columbia Association outdoor tennis facility with 11 courts and a small support building.

East: The site is adjacent on the east to several Columbia Association facilities, including the Wilde Lake Interfaith Center, Slayton House, the Wilde Lake Courtyard, and the Wilde Lake indoor swim facility.

West: The site is adjacent on the west to apartments. Please note the fast food restaurant on the northwest corner of Twin Rivers Road and Lynx Lane is NOT part of this Petition for Major Village Center Redevelopment.

I. General Information

A. Relevant Site History

1. Site Features: The subject property is currently improved as a retail center with substantial surface parking known of the Village of Wilde Lake Village Center. The site was developed with a grocery store building, which will be demolished as part of this plan, two retail/office buildings overlooking the adjoining Courtyard, a gas station (to be demolished), a bank drive-thru building (to be demolished), and two additional retail/office buildings on the opposite (west) side of Lynx Lane, which will also be demolished as part of the redevelopment. There are no environmental features, historical, or cultural features on site. The Courtyard Buildings A and B will not be demolished, but will be updated, and the Courtyard will remain intact.
2. Previously approved plans include ECP-13-003, ZB 1096M, SDP-94-045, SDP-93-087, SDP-87-011, SDP-85-204, SDP-72-083, SDP72-064, SDP-70-074, FDP Phase 39-A, FDP Phase 2-A-VIII, SP-13-001. The final plat, F-13-064, is currently in review and the plat must be recorded prior to final signature approval of this SDP. The FDPs associated with this site are also being amended (FDP 2-A-IX and FDP 39-A-1).
3. A Major Village Center Redevelopment Plan for the existing Wilde Lake Village Center and associated amendment to the Preliminary Development Plan was approved on July 20, 2012 as part of Zoning Board Case No. 1096M, as outlined in the associated Decision and Order dated July 9, 2012.
4. As part of Zoning Board Case No. 1096M, two Pre-submission Community Meetings were held on June 4, 2010 and December 17, 2010 in accordance with Section 125.J.3a of the Zoning Regulations and Section 16.128 of the Subdivision and Land Development Regulations.
5. As part of Zoning Board Case No. 1096M, the Design Advisory Panel (DAP) reviewed the proposal October 27, 2010 in accordance with Section 125.J.3.a of the Zoning Regulations and Title 16, Subtitle 15 of the County Code.
6. The Comprehensive Sketch Plan (SP-13-001) was approved as part of a Public Hearing (PB 397) on December 6, 2012. The Decision and Order was signed January 17, 2013 and the originals received signature approval on February 27, 2013.
7. Two Amended Final Development Plans (FDP-2-A-IX and FDP-39-A-1) are proposed for final Planning Board approval concurrent with this SDP. The associated amended FDPs propose updated criteria that were previously tentatively approved as part of ZB1096, such as allowing apartment uses in the Village Center Commercial, and amending setbacks and parking requirements for the Village Center.

B. Posting -- The subject site was properly posted with three (3) official Planning Board Meeting Posters. These signs were posted beginning on April 1, 2013, as verified by County staff.

C. Regulatory Compliance – *The Project is subject to the following requirements:*

- (1) The Howard County General Plan.
- (2) The Zoning Regulations, including Section 125.J, Section 125.F., and Section 125.G
- (3) The Adequate Public Facilities Act.
- (4) The Howard County Design Manual.
- (5) Amended Fifth Edition of the Howard County Subdivision and Land Development Regulations.
- (6) The Landscape Manual.

D. Planning Board Role: Per Section 125.J.8 of the Zoning Regulations, in addition to the established criteria used by the Planning Board in its evaluation and approval of any Site Development Plan, the Planning Board shall make findings on whether this Site Development Plan is in conformance with all the findings of and conclusions of the Zoning Board Decision and Order (ZB 1096) for the Major Village Center Redevelopment.

II. Description of the Site Development Plan Proposal and Approval Criteria:

A. Site Improvements: The Site Development Plan consists of 10.21 acres (11.95 acre limit of disturbance) and, in accordance with the amended Preliminary Development Plan, proposes 250 apartment units (275,431 sf of residential floor area) and a net floor area of 90,000 sf of commercial development including 41,013 sf of retail, 20,200 sf of restaurant (including 8,200 sf of fast food), and 29,779 sf of office (including 10,000 sf of medical/dental office and 19,779 of general office). Upgraded stormwater management, pedestrian circulation, and parking are part of this proposal. SDP-13-046 is in complete conformance with the approved Amended Preliminary Development Plan (ZB1096m) and Amended Comprehensive Sketch Plan (SP-13-001/PB 397) as well as the approved Amended Final Development Plans.

B. Approval Criteria: SDP-13-046 is in compliance with all applicable Zoning Regulations and Subdivision and Land Development Regulations. In particular:

- 1) **Setbacks:** All setbacks are in compliance with the criteria approved with FDP-2-A-IX and FDP-39-A-I.
- 2) **Building Height:** There is no maximum height for commercial projects per FDP-2-A-IX and FDP-39-A-1. Residential building height for apartment buildings cannot exceed 100'.
- 3) **Parking:** 696 Parking Spaces are required per the ULI Shared Parking Model. The ULI Shared Parking calculations were used to more effectively evaluate the parking required and how parking may be reduced to maximum levels necessary for the site to remain operational while reducing the amount of pavement required on-site. A total of 704 parking spaces are provided, including 375 parking spaces within an enclosed garage that will provide shared parking on the lower levels and reserved residential parking on the upper levels. 312 spaces will be reserved only for residential use. 31 spaces onsite are handicap reserved. **As requested as part of both ZB 1096m and PB 397, a comprehensive parking study was submitted with SDP-13-046 to evaluate the proposed parking ratios in relation to the proposed commercial square footage and number of residential units. The applicant has proposed to use the following ratios which are within the ULI Shared Parking Model:**
 - 1.25 spaces per residential dwelling unit
 - 3 spaces per 1000 sf of general office and medical office
 - 5 spaces per 1000 per restaurant (standard and fast food)
 - In addition, Kimco will provide 67 spaces for the health club that will also be shared with

the commercial and residential uses.

The Zoning Board and Planning Board specifically requested additional analysis of the residential parking since the ratio proposed is less than the Zoning Regulations and the ULI. The ULI model encourages local jurisdictions to take regional variability into account when determining the most appropriate ratios to use. The traffic and parking expert evaluated two residential properties within the region with similar demographic and existing development characteristics to the Village of Wilde Lake (there were no similar mixed use projects in the region with similar low access to regional mass transit). Three regional commercial projects owned by Kimco that share similar retail, restaurant and office components were thoroughly analyzed for peak-time parking counts.

The parking study findings fully support the proposed office, retail and restaurant parking ratios. Each of the commercial centers used in the study have less than 5 spaces per 1000 square feet, and never reached close to maximum occupancy during the peak study periods. Wells and Associates believe this finding is consistent when adjusted for monthly or seasonal variations.

The findings from the residential parking study was also consistent with the proposed 1.25 space per dwelling unit ratio. The two apartment projects selected for the parking study were parking at ratios 1.98/spaces per unit and 2.13 spaces/unit and neither exceeded 50% capacity at peak residential parking hours. Wells and Associates determined the actual parking was 1.31 spaces per unit, which is slightly higher than what is proposed for the apartments proposed for the Village Center. However, these residential sites were not part of a mixed used environment and do not account for the ability to share spaces with the commercial center. With 1.25 spaces per unit RESERVED exclusively for residential use, and the residences having access to commercial spaces for overflow and guest parking, DPZ is comfortable with the residential ratio used to meet parking needs. Residents will also have access to secured bike lockers for indoor, long-and-short term bike storage, and a transit stop outside the residential building.

Overall, DPZ supports the proposed parking and accepts the parking needs study and ULI shared use analysis to provide adequate parking for all uses on the site without creating excessive impervious surface. For additional information regarding parking, please see the enclosed parking study and the SDP.

- 4) **Transit, Bike and Pedestrian Circulation:** Enhanced sidewalks are provided between all buildings and amenity areas within the site as well as along the public roads (Cross Fox Lane and Twin Rivers Road). Transit stop locations and improvements are also incorporated in SDP-13-046 as required by Transportation Planning. In addition to outside bike racks for retail and office users, the apartment building will incorporate ample bike lockers to provide residents long term secure storage of bike equipment.
- 5) **Stormwater Management:** The site is designed using the most recent standards as put forth in the 2009 Stormwater Management Regulations. On-site stormwater treatment includes the use of pervious pavers and landscaped micro-bioretenion.
- 6) **APFO – Schools:** 250 housing unit allocations were tentatively granted on July 10, 2012. These allocations will become permanent with the signature approval of this Site Development Plan (SDP-13-046).
- 7) **APFO – Roads:** The Developer will provide the necessary improvements as requested by DPW. No concerns were cited with the Traffic Study and only minor improvements were requested by the Department of Public Works, to include easements for an updated school flasher and minor deceleration lane improvements at the East Entrance of Twin Rivers Road.
- 8) **Landscaping:** This site follows the New Town Alternative Compliance Provisions of the Howard County Landscape Manual. The Village of Wilde Lake Architectural Board has reviewed and approved the proposed landscaping on June 18, 2012 with 15 conditions. To the

best of DPZ's knowledge, these conditions have been met.

- 9) **Forest Conservation and Environmental Features:** The site is exempt from Forest Conservation per Section 16.1202(b)(1)(iv) since it is zoned New Town. There are no environmental features on site.
- 10) **Green Buildings:** This project will incorporate Green Building and Site Design. The developer has submitted the Green Building Certification Institute registration receipt and LEED checklist.

C. CONFORMANCE WITH FINDINGS AND CONCLUSIONS OF ZB1096: Per Section 125.J.8 of the Zoning Regulations, in addition to the established criteria used by the Planning Board in its evaluation and approval of the Comprehensive Sketch Plan, Final Development Plan and Site Development Plan, the Planning Board shall make findings on whether the Site Development Plan is in conformance with all the findings of and conclusions of the Zoning Board Decision and Order for the Major Village Center Redevelopment.

- 1) **Findings of Fact:** The Findings of Fact outlined in the Decision & Order for ZB 1096m provided a detailed description of the existing site, conceptual layout of improvements, establishment of Village Center Boundaries, conceptual architecture, size operation and leasing, and a detailed overview of community input. To summarize SDP-13-046 conformance with the ZB 1096m Findings of Fact:
 - The proposed Site Development Plan, SDP-13-046, is within the Village Center Boundaries as described within ZB1096.
 - SDP-13-046 is in full conformance with all the findings of the Zoning Board Decision and Order for the Major Village Center Redevelopment (ZB 1096M), which describes the existing conditions of the site and the proposed improvements.
 - The site layout is identical to the final conceptual layout proposed as part of the amended Preliminary Development Plan (ZB 1096M), which incorporated many Design Advisory Panel DAP recommendations.
 - SDP-13-046 includes a maximum of 250 residential apartment dwelling units, and 90,000 square feet of commercial development (5,000 sf above the minimum of 85,000 sf approved as part of the approved PDP).
 - The demolition of buildings, and the size and location of new buildings are identical between the PDP Concept Plan, the Comprehensive Sketch Plan (SP-13-001), and this Site Development Plan (SDP-13-046). The parking is identical as is the landscaping layout, except for modifications requested by the Wilde Lake Architectural Committee during their review and approval.
 - The improved internal pedestrian circulation and pedestrian access along the perimeters of the site will foster ability to connect off-site properties as other property owners make site improvements.
- 2) **Conclusions of Law (ZB1096m):** Please see the chart on the following page for a summary of conformance of SDP-13-046 with the Amended Preliminary Development Plan:

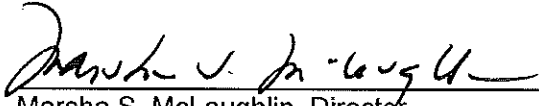
CONCLUSIONS OF LAW from ZB Case #1096M - Village of Wilde Lake - Village Center Redevelopment	
The Board approved the Petitioners proposed Design Guidelines, except that if the Howard County Sign Code is in conflict with the signage portion of the Design Guidelines, the more restrictive requirement shall apply.	Development Proposal of SDP is identical to the Concept Plan of the PDP and the proposed Design Guidelines. Signage is not proposed at this time, and will be enforced at Building Permit stage. General Note #34 on Sheet 1 of SDP-13-046 alerts all regulatory agencies that the more restrictive signage requirements will apply.

**CONCLUSIONS OF LAW from ZB Case #1096M - Village of Wilde Lake - Village Center
Redevelopment (continued)**

The Board approves the Petitioners proposed Concept Plan and Criteria and includes a <u>maximum</u> of 250 apartment dwelling units a <u>minimum</u> of 85,0000 square feet of commercial development, subject to the phasing plan	SDP conforms to PDP Concept Plan and includes a maximum of 250 apartment dwelling units and 90,000 square feet of retail. The phasing plan is consistent to what was proposed at PDP.
The proposed project is subject the ULI shared parking model requirements reflected or similar parking analysis as approved by DPZ	Parking on SDP consistent to what was proposed at PDP. Parking has been evaluated through a comprehensive parking study. Please see pages 3 and 4 for Staff Discussion of the Parking Report.
Board establishes the minima, maxima, precise values and specific requirements concerning the Village Amenity Areas, building heights, bulk requirements. Parking, density, and permitted uses as proposed on the Concept Plan	Criteria proposed with the SDP is generally consistent with criteria in PDP. At the Comprehensive Sketch Plan review (SP-13-001/ PB 397), DPZ identified some typographical errors in the criteria that conflicted with the proposed PDP conceptual plan layout, which where rectified at that time (see PB 397 Decision and Order) and corrected with the Amended Final Development Plans (FDP-2-A-IX and FDP-39-A-I). The SDP's height, setbacks, density, parking and permitted uses are identical to what is proposed as part of ZB 1096, PB 397, and the associated amended FDPs (FDP-2-A-IX and FDP-39-A-1).
Village Boundaries are set; project within these boundaries	The proposal is within the accepted Village Center boundaries
Maximum of 250 dwelling units and DPZ computes the additional density represented by the 150 dwelling units to the 100 free units in the PDP	Units have been incorporated into the PDP use chart by DPZ and tentative allocations have been granted to this site in accordance with the Columbia PDP. The 250 allocations tentatively granted will become permanent with the signature approval of this site development plan (SDP-13-046).

SRC Action: The Subdivision Review Committee has recommended approval subject to the technical comments issued in the letter dated **April 8, 2013**.

Recommendation: The Department of Planning and Zoning recommends approval of SDP-13-046, Site Development Plan for the Village of Wilde Lake Major Village Center Redevelopment, subject to adequately addressing all remaining technical comments provided by the Subdivision Review Committee dated April 8, 2013 and any subsequent technical comments.


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 Department of Planning and Zoning

Staff Report prepared by: Jill Manion-Farrar
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**This file SDP-13-046 is available for public review at the DPZ Public Service Counter,
Monday through Friday, 8:00-5:00pm**